

**United States Bankruptcy Court  
Central District of California  
Northern Division  
Ronald A Clifford III, Presiding  
Courtroom 201 Calendar**

**Thursday, June 16, 2022**

**Hearing Room 201**

11:00 AM

**9: -**

**Chapter**

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Docket 0

**Tentative Ruling:**

**United States Bankruptcy Court  
Central District of California  
Northern Division  
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**CONT...**

**Chapter**

- NONE LISTED -

**United States Bankruptcy Court  
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**Thursday, June 16, 2022**

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11:00 AM

**9:21-10379 Michael Falk and Ruth Falk**

**Chapter 13**

**#1.00 Hearing on Confirmation of Chapter 13 Plan**

Docket 1

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
--------------------------

**Debtor(s):**

Michael Falk

Represented By  
Julie J Villalobos

**Joint Debtor(s):**

Ruth Falk

Represented By  
Julie J Villalobos

**Trustee(s):**

Elizabeth (ND) F Rojas (TR)

Pro Se

**United States Bankruptcy Court  
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**Thursday, June 16, 2022**

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11:00 AM

**9:21-10862 Kevin Scott St. Peter and Shelly Sue St. Peter**

**Chapter 13**

**#2.00 Hearing on Confirmation of Chapter 13 Plan**

FR. 1-20-22, 2-17-22, 3-17-22, 4-21-22

Docket 1

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
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**Debtor(s):**

Kevin Scott St. Peter

Represented By  
Vaughn C Taus

**Joint Debtor(s):**

Shelly Sue St. Peter

Represented By  
Vaughn C Taus

**Trustee(s):**

Elizabeth (ND) F Rojas (TR)

Pro Se

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**Thursday, June 16, 2022**

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11:00 AM

**9:21-10927 Salvador Lara**

**Chapter 13**

**#3.00 Hearing on Confirmation of Chapter 13 Plan**

FR. 12-16-21, 2-17-22, 4-21-22

Docket 1

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
--------------------------

**Debtor(s):**

Salvador Lara

Represented By  
Bryan Diaz

**Trustee(s):**

Elizabeth (ND) F Rojas (TR)

Pro Se

**United States Bankruptcy Court  
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**Thursday, June 16, 2022**

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11:00 AM

**9:21-11092    Manuel R Contreras**

**Chapter 13**

**#4.00    Hearing on Confirmation of Chapter 13 Plan**

FR. 3-17-22, 5-26-22

Docket      1

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
--------------------------

**Debtor(s):**

Manuel R Contreras

Represented By  
Nathan A Berneman

**Trustee(s):**

Elizabeth (ND) F Rojas (TR)

Pro Se

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Central District of California  
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11:00 AM

**9:21-11137 William Charles Steiger**

**Chapter 13**

**#5.00 Hearing on Confirmation of Chapter 13 Plan**

FR. 2-17-22, 4-21-22

Docket 1

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
--------------------------

**Debtor(s):**

William Charles Steiger

Represented By  
Shawn S White

**Trustee(s):**

Elizabeth (ND) F Rojas (TR)

Pro Se

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Central District of California  
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**Hearing Room 201**

11:00 AM

**9:22-10046 Domenick Medina, Jr.**

**Chapter 13**

**#6.00 Hearing on Confirmation of Chapter 13 Plan**

FR. 4-21-22

Docket 1

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
--------------------------

**Debtor(s):**

Domenick Medina Jr.

Represented By  
Raymond H. Aver

**Trustee(s):**

Elizabeth (ND) F Rojas (TR)

Pro Se



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**9:22-10162 Christie Ann Kelly**

**Chapter 13**

**#7.00 Hearing on Confirmation of Chapter 13 Plan**

Docket 1

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
--------------------------

**Debtor(s):**

Christie Ann Kelly

Represented By  
Chris Gautschi

**Trustee(s):**

Elizabeth (ND) F Rojas (TR)

Pro Se

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**Thursday, June 16, 2022**

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11:00 AM

**9:22-10166 Rebecca Bacciocco**

**Chapter 13**

**#8.00 Hearing on Confirmation of Chapter 13 Plan**

Docket 1

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
--------------------------

**Debtor(s):**

Rebecca Bacciocco

Represented By  
Julie J Villalobos

**Trustee(s):**

Elizabeth (ND) F Rojas (TR)

Pro Se

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11:00 AM

**9:22-10181 Mindy Chapman-Shapiro**

**Chapter 13**

**#9.00** Hearing on Confirmation of Chapter 13 Plan

Docket 1

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
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**Debtor(s):**

Mindy Chapman-Shapiro

Represented By  
Michael D Kwasigroch

**Trustee(s):**

Elizabeth (ND) F Rojas (TR)

Pro Se

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**9:22-10192 Ezio Augusto Van Horst**

**Chapter 13**

**#10.00** Hearing on Confirmation of Chapter 13 Plan

Docket 1

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
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**Debtor(s):**

Ezio Augusto Van Horst

Represented By  
Kevin T Simon

**Trustee(s):**

Elizabeth (ND) F Rojas (TR)

Pro Se

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**9:22-10192 Ezio Augusto Van Horst**

**Chapter 13**

**#10.00 Hearing on Confirmation of Chapter 13 Plan**

Docket 1

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
--------------------------

**Debtor(s):**

Ezio Augusto Van Horst

Represented By  
Kevin T Simon

**Trustee(s):**

Elizabeth (ND) F Rojas (TR)

Pro Se

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**9:22-10202 Colleen O'Mara Diamond**

**Chapter 13**

**#11.00** Hearing on Confirmation of Chapter 13 Plan

Docket 1

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
--------------------------

**Debtor(s):**

Colleen O'Mara Diamond

Represented By  
Christopher J Langley

**Trustee(s):**

Elizabeth (ND) F Rojas (TR)

Pro Se

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**9:22-10216    Brahn Philip Centineo**

**Chapter 13**

**#12.00    Hearing on Confirmation of Chapter 13 Plan**

Docket      1

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
--------------------------

**Debtor(s):**

Brahn Philip Centineo

Represented By  
Bryan Diaz

**Trustee(s):**

Elizabeth (ND) F Rojas (TR)

Pro Se

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11:00 AM

**9:22-10231 Monique McTeer**

**Chapter 13**

**#13.00** Hearing on Confirmation of Chapter 13 Plan

Docket 1

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
--------------------------

**Debtor(s):**

Monique McTeer

Represented By  
Vaughn C Taus

**Trustee(s):**

Elizabeth (ND) F Rojas (TR)

Pro Se



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**9:22-10232 Richard Hernandez**

**Chapter 13**

**#14.00** Hearing on Confirmation of Chapter 13 Plan

Docket 1

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
--------------------------

**Debtor(s):**

Richard Hernandez

Represented By  
Nathan A Berneman

**Trustee(s):**

Elizabeth (ND) F Rojas (TR)

Pro Se

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**9:22-10234 Jorge Juico Valle**

**Chapter 13**

**#15.00** Hearing on Confirmation of Chapter 13 Plan

Docket 1

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
--------------------------

**Debtor(s):**

Jorge Juico Valle

Represented By  
Joshua L Sternberg

**Trustee(s):**

Elizabeth (ND) F Rojas (TR)

Pro Se

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11:00 AM

**9:22-10241 Donna Leanne Thomas**

**Chapter 13**

**#16.00** Hearing on Confirmation of Chapter 13 Plan

Docket 1

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
--------------------------

**Debtor(s):**

Donna Leanne Thomas

Represented By  
Leslie A Tos

**Trustee(s):**

Elizabeth (ND) F Rojas (TR)

Pro Se

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11:00 AM

**9:22-10248 Isabel Alicia Moreno**

**Chapter 13**

**#17.00** Hearing on Confirmation of Chapter 13 Plan

Docket 1

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
--------------------------

**Debtor(s):**

Isabel Alicia Moreno

Represented By  
R Grace Rodriguez

**Trustee(s):**

Elizabeth (ND) F Rojas (TR)

Pro Se

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**9:21-10022    Daniel Carl Fink**

**Chapter 13**

**#18.00    CONT'D Hearing on Confirmation of Chapter 13 Plan**

FR. 4-22-21, 5-27-21, 6-24-21, 8-19-21, 10-21-21, 11-18-21, 1-20-22, 3-17-22,  
5-26-22

Docket      1

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
--------------------------

**Debtor(s):**

Daniel Carl Fink

Represented By  
Jamil L White

**Trustee(s):**

Elizabeth (ND) F Rojas (TR)

Pro Se

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**9:21-10451    James Rios Parga**

**Chapter 13**

**#19.00    CONT'D Hearing on Confirmation of Chapter 13 Plan**

FR. 7-29-21, 8-19-21, 10-21-21, 11-18-21, 1-20-22, 3-17-22, 4-21-22

Docket      1

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
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**Debtor(s):**

James Rios Parga

Represented By  
Reed H Olmstead

**Trustee(s):**

Elizabeth (ND) F Rojas (TR)

Pro Se

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11:00 AM

**9:21-10541    Jonathon Quentin DeGuardi**

**Chapter 13**

**#20.00    CONT'D Hearing on Confirmation of Chapter 13 Plan**

FR. 1-20-22, 3-17-22, 4-21-22

Docket      1

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
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**Debtor(s):**

Jonathon Quentin DeGuardi

Represented By  
Stella A Havkin

**Trustee(s):**

Elizabeth (ND) F Rojas (TR)

Pro Se

**United States Bankruptcy Court  
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**Thursday, June 16, 2022**

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11:00 AM

**9:21-10838 Fawn P. Nguyen**

**Chapter 13**

**#21.00 CONT'D Hearing on Confirmation of Chapter 13 Plan**

FR. 2-17-22, 3-17-22, 4-21-22

Docket 1

**Tentative Ruling:**

**April 21, 2022**

**Appearances required.**

Pursuant to 11 U.S.C. § 1307(c)—

[O]n request of a party in interest or the United States trustee and after notice and a hearing, the court may convert a case under this chapter to a case under chapter 7 of this title, or may dismiss a case under this chapter, whichever is in the best interests of creditors and the estate, for cause . . .

(list of causes omitted). In addition to the enumerated causes under subsection (c), a Chapter 13 case filed in bad faith may be dismissed ‘for cause’ in light of the ‘totality of the circumstances’ test. *In re Leavitt*, 171 F.3d 1219, 1224–25 (9th Cir. 1999); *In re Eisen*, 14 F3d 469, 470 (9th Cir. 1994). The factors applicable to evaluate ‘bad faith’ under a totality of the circumstances test include, among other things:

- (1) whether the debtor misrepresented facts in his petition or plan, unfairly manipulated the Bankruptcy Code, or otherwise filed his chapter 13 petition or plan in an inequitable manner;
- (2) the debtor's history of filings and dismissals;
- (3) whether the debtor only intended to defeat state court



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**CONT...**      **Fawn P. Nguyen**  
litigation; and

**Chapter 13**

(4) whether egregious behavior is present.

*See In re Leavitt*, 171 F.3d 1219, 1224 (9th Cir. 1999). Courts apply a two-step analysis in deciding whether a chapter 13 case should be dismissed or converted. "First, it must be determined that there is 'cause' to act. Second, once a determination of 'cause' has been made, a choice must be made between conversion and dismissal based on the 'best interests of the creditors and the estate.'" *Nelson v Meyer (In re Nelson)*, 343 B.R. 671, 675 (9th Cir. BAP 2006).

Theodore J. Lettelleir ("Lettelleir") filed Creditor Theodore J. Lettelleir, Jr.'s Motion to Dismiss, or Alternatively, Convert, Chapter 13 Case to a Chapter 7 (the "Motion"). *See* Docket No. 32. Lettelleir contends that there are (1) numerous irregularities, misstatements and omissions in the Fawn P. Nguyen's ("Nguyen") bankruptcy schedules, (2) Nguyen's plan is infeasible, (3) Nguyen failed to disclose deferred income, (4) Nguyen failed to disclose prepayments on her mortgage, and (5) failed to disclose a business interest. Among the irregularities, Lettelleir argues that Nguyen inaccurately referenced that she was single as of the petition date; Lettelleir's claim was listed as unsecured rather than secured, and Schedules I and J were revised in unsupported ways solely to allow Nguyen to convert the case from chapter 7 to chapter 13. *Id.* at pp. 9-13. Consequently, Lettelleir argues that "cause" exists under the "totality of the circumstances" test to dismiss under 11 U.S.C. § 1307(c).

Nguyen, through *Debtors [sic] Opposition to Creditor Theodore J. Lettelleir, Jr.'s Motion to Dismiss, or Alternatively, Convert Case to a Chapter 7*, responds that replacement counsel has been employed since the petition was filed, and that several amendments to the schedules have been filed to correct any omissions or inaccuracies. Nguyen places some of the blame for any omissions or inaccuracies in the schedules on prior counsel's inexperience with Chapter 13. *See* Docket No. 42. On February 11, 2022, Nguyen filed a second amended chapter 13 plan (the "Plan"). *See* Doc. No. 47. Under the terms of the Plan, Nguyen proposes to make payments of \$302.00 per month during months 1 and 2 (total \$604.00) and \$523.00 for months 3 to 60 for a total of \$30,334.00. *Id.* at p. 2. With respect to Lettelleir's claim, Nguyen classifies it as a "secured claim" under Class 3B in the amount of \$11,237.69 (\$201.93) for a total of \$12,115.57 (3.00 percent interest).

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**CONT...      Fawn P. Nguyen**

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Prior to filing the Plan, Nguyen filed amendments to the schedules, which included, among other things, revisions to Schedule D to identify Lettelleir's lien as "secured" and Schedule H/Statement of Financial Affairs to identify their spouse, Thomas Leckie. *See* Docket No. 38, pp. 10-12 and 18. Moreover, Nguyen's amended Schedule J identified monthly net income as \$423.22, the difference of \$5,319.00 (income) and \$4,895.67 (expenses). *Id.* at 17.

On March 16, 2022, Nguyen filed an amended Schedule I, which identified, among other things, mandatory and voluntary contributions to retirement plans, consulting income from two (2) sources in the amount of \$562.00, as well as other deductions. *See* Docket No. 64.

Although statements made in schedules are under the penalty of perjury, it appears that Nguyen has amended the schedules to provide additional information regarding, among other things, income, expenses, and current community property with their new spouse. Nguyen also substituted counsel when it was realized that prior counsel may have been providing inadequate advice. The amended schedules seem to have addressed many of the concerns raised by Lettelleir in the Motion. Nguyen looks to be moving towards confirmation of the Plan. The case got off to a rocky start, but with employment of experienced bankruptcy counsel, the case now appears to be heading in the right direction. Therefore, the Court will deny the Motion without prejudice.

**Debtor to lodge order within 7 days.**

<b>Party Information</b>
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**Debtor(s):**

Fawn P. Nguyen

Represented By  
Ali R Nader

**Trustee(s):**

Elizabeth (ND) F Rojas (TR)

Pro Se

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**9:21-10921 Guadalupe Gonzalez**

**Chapter 13**

**#22.00** CONT'D Hearing on Confirmation of Chapter 13 Plan

FR. 12-16-21, 1-20-22, 3-17-22, 4-21-22

Docket 1

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
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**Debtor(s):**

Guadalupe Gonzalez

Represented By  
Julie J Villalobos

**Trustee(s):**

Elizabeth (ND) F Rojas (TR)

Pro Se

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**9:21-10921 Guadalupe Gonzalez**

**Chapter 13**

**#22.10** CONT'D Hearing  
RE: [34] Motion to Avoid Lien JUNIOR LIEN with DEUTSCHE BANK NTC  
SERVICED BY SPECIALIZED LOAN SERVICING (Villalobos, Julie)

FR. 4-21-22

Docket 34

**Tentative Ruling:**

<b>Party Information</b>
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**Debtor(s):**

Guadalupe Gonzalez

Represented By  
Julie J Villalobos

**Movant(s):**

Guadalupe Gonzalez

Represented By  
Julie J Villalobos  
Julie J Villalobos

**Trustee(s):**

Elizabeth (ND) F Rojas (TR)

Pro Se

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11:00 AM

**9:21-10938 Donna Holbeck**

**Chapter 13**

**#23.00** CONT'D Hearing on Confirmation of Chapter 13 Plan

FR. 1-20-22, 2-17-22, 3-17-22, 4-21-22

Docket 1

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
--------------------------

**Debtor(s):**

Donna Holbeck

Represented By  
Julie J Villalobos

**Trustee(s):**

Elizabeth (ND) F Rojas (TR)

Pro Se

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11:00 AM

**9:21-10989    Rory Steven Kaplan**

**Chapter 13**

**#24.00    CONT'D Hearing on Confirmation of Chapter 13 Plan**

FR. 1-20-22, 3-17-22, 5-26-22

Docket      1

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
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**Debtor(s):**

Rory Steven Kaplan

Represented By  
Richard L. Sturdevant

**Trustee(s):**

Elizabeth (ND) F Rojas (TR)

Pro Se

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11:00 AM

**9:21-11016 Sandra Lea Grass**

**Chapter 13**

**#25.00** CONT'D Hearing on Confirmation of Chapter 13 Plan

FR. 1-20-22, 3-17-22, 4-21-22

Docket 1

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
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**Debtor(s):**

Sandra Lea Grass

Represented By  
Michael Salanick

**Trustee(s):**

Elizabeth (ND) F Rojas (TR)

Pro Se

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**9:21-11016 Sandra Lea Grass**

**Chapter 13**

**#25.10** CONT'D Hearing  
RE: [37] Motion RE: Objection to Claim Number 1 by Claimant Department of  
Treasury - Internal Revenue Service. (Salanick, Michael)

FR. 4-21-22

Docket 37

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
--------------------------

**Debtor(s):**

Sandra Lea Grass

Represented By  
Michael Salanick

**Movant(s):**

Sandra Lea Grass

Represented By  
Michael Salanick  
Michael Salanick  
Michael Salanick

**Trustee(s):**

Elizabeth (ND) F Rojas (TR)

Pro Se



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**9:21-11037 YOLANDA ADRIAN POOL**

**Chapter 13**

**#26.00** CONT'D Hearing on Confirmation of Chapter 13 Plan

FR. 1-20-22, 3-17-22, 4-21-22

Docket 1

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
--------------------------

**Debtor(s):**

YOLANDA ADRIAN POOL

Represented By  
Daniel King

**Trustee(s):**

Elizabeth (ND) F Rojas (TR)

Pro Se

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**Hearing Room 201**

11:00 AM

**9:21-11040 Balbir Singh Khinda**

**Chapter 13**

**#27.00** CONT'D Hearing on Confirmation of Chapter 13 Plan

FR. 1-20-22, 3-17-22, 4-21-22

Docket 1

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
--------------------------

**Debtor(s):**

Balbir Singh Khinda

Represented By  
Steven Abraham Wolvek

**Trustee(s):**

Elizabeth (ND) F Rojas (TR)

Pro Se

**United States Bankruptcy Court  
Central District of California  
Northern Division  
Ronald A Clifford III, Presiding  
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**Thursday, June 16, 2022**

**Hearing Room      201**

11:00 AM

**9:21-11053    Todd Andrew Alexander**

**Chapter 13**

**#28.00    CONT'D Hearing on Confirmation of Chapter 13 Plan**

FR. 1-20-22, 4-21-22

Docket      1

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
--------------------------

**Debtor(s):**

Todd Andrew Alexander

Represented By  
Nathan A Berneman

**Trustee(s):**

Elizabeth (ND) F Rojas (TR)

Pro Se

**United States Bankruptcy Court  
Central District of California  
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11:00 AM

**9:21-11119 Ramon Perez and Antonia Medina Perez**

**Chapter 13**

**#29.00** CONT'D Hearing on Confirmation of Chapter 13 Plan

FR. 2-17-22, 4-21-22

Docket 1

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
--------------------------

**Debtor(s):**

Ramon Perez

Represented By  
Claudia C Osuna

**Joint Debtor(s):**

Antonia Medina Perez

Represented By  
Claudia C Osuna

**Trustee(s):**

Elizabeth (ND) F Rojas (TR)

Pro Se

**United States Bankruptcy Court  
Central District of California  
Northern Division  
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11:00 AM

**9:21-11140 Rudi Leo Londt**

**Chapter 13**

**#30.00** CONT'D Hearing on Confirmation of Chapter 13 Plan

FR. 2-17-22, 3-17-22, 4-21-22

Docket 1

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
--------------------------

**Debtor(s):**

Rudi Leo Londt

Pro Se

**Trustee(s):**

Elizabeth (ND) F Rojas (TR)

Pro Se

**United States Bankruptcy Court  
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**9:21-11164 Robert James Guadagno**

**Chapter 13**

**#31.00 CONT'D Hearing on Confirmation of Chapter 13 Plan**

FR. 2-17-22, 3-17-22, 4-21-22

Docket 1

**Tentative Ruling:**

**March 17, 2022**

**Appearances required**

***Background***

Robert James Guadagno's (the "Debtor") and Mary Manning's ("Manning") dispute has its genesis in a marital dissolution order entered by a California state family law court in 2008 (the "Judgment"). *See* Docket No. 92, Exhibit A. The Judgment comprises, *inter alia*, the division of certain real property owned by the Debtor and/or Manning prior to the Judgment. Principally, three (3) parcels of real property are at issue, the Chinook Property, the Miramonte Property, and the Reef Property (collectively, the "Properties"). *Id.* Through the Judgment, the Debtor and Manning each received a 50% interest in the three (3) parcels of real property and/or sale proceeds. *Id.*

In 2013, the Debtor and Manning entered into that *Amendment and Confirmation as to Marital Settlement Agreement* (the "Amendment"). *Id.* at Exhibit B. As provided under the Amendment, Manning obtained a 100% interest in the Miramonte Property, and the Debtor obtained a 100% interest in the Chinook and Reef Properties. *Id.* at Sections A, 1-3. The Amendment, however, provides that the Debtor assumes 100% of the liability for a line of credit secured by the Miramonte Property in the amount of approximately \$200,000 (the "Line of Credit"). *Id.* at Section B.

On August 29, 2014, the Miramonte Property was sold by Manning, and the Line of Credit was retired through escrow, seemingly to allow the Miramonte Property to close free of the deed of trust that secured the Line of Credit. Proclaiming that the Debtor was responsible for the Line of Credit, Manning demanded payment from the

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**CONT... Robert James Guadagno**

**Chapter 13**

Debtor, \$198,874.52 (the "Debt"), the amount paid through escrow. *Id.* at Exhibit C, ¶ 1. Consequently, in 2017, Manning moved the State court for an order requiring the Debtor to liquidate the Chinook Reef Properties to satisfy the Debt, citing the Amendment, and the fact that the Debtor failed to pay the Debt. *Id.* at Recital A. The State court ordered the Debtor to refinance or liquidate the Chinook Property and Reef Property.

By late 2018, Manning was again in front of the State court with a request that the court enter an order requiring that the Chinook Property be sold to satisfy the Debt. This second action prompted the Debtor and Manning to enter into that *Stipulation; Order Thereon* (the "Stipulation"), which was approved by the State court on September 21, 2018. *Id.* at Exhibit C. The Stipulation set the amount of the Debt, and required the parties to secure the Stipulation through a deed of trust on the Chinook Property, the Debtor to make monthly payments to Manning until the Debt was repaid with interest, and, should the Debtor default on the payments, required the Debtor to liquidate the Chinook Property.

In 2020, Manning again moved the State court, this time due to the Debtor's alleged breach of the Stipulation. *Id.* at Exhibit D. On April 15, 2021, the State court ordered that the Debtor sell the Chinook Property to pay the Debt (the "Order"). *Id.* at Exhibit E. The Debtor appealed the Order. Manning then moved the Court for a receiver to sell the Chinook Property. The night prior to the hearing to appoint a receiver, the Debtor filed the instant Chapter 13 case, which stayed the State court matter. *Id.* at Exhibit F.

***The Appeal***

As noted *supra*, the Debtor has lodged an appeal of the Order on the grounds that the Order is void as a matter of law (the "Appeal"). On January 31, 2022, this Court entered its *Order Granting Motion for Relief from the Automatic Stay Under 11 U.S.C. § 362* to allow the Debtor and Manning to litigate the Appeal to its conclusion. *See* Docket No. 51. Among other things, it appears that the Debtor is arguing through the Appeal that the Debt is not secured by the Chinook Property. *See* Docket No. 57, pp. 74-108. To the Court's knowledge, the Appeal remains pending.

***The Dispute***

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**CONT... Robert James Guadagno**

**Chapter 13**

The crux of the Debtor's dispute with Manning appears to be that he believes the Debt, at best, is an unsecured claim. *See* Docket No. 69. Any abstract of judgment related to the Stipulation, the Debtor argues, is void as a matter of law in that the State court lacked jurisdiction to modify the Judgment. *Id.* at pp. 3-4. At bottom, through the Appeal, the Debtor seeks a decision that will void the abstract of judgment against the Chinook Property.

Manning argues, to the contrary, that the Debt, through the Stipulation and Order, and the filing of an abstract of judgment, is in-fact a claim secured by the Chinook Property, and further argues that the Debtor's case was filed in bad faith. *See* Docket No. 44.

***The Reef Property***

The Debtor's Schedules A/B omit the Reef Property. *See* Docket Nos. 5 and 21. The Debtor's *Statement of Financial Affairs* states that in 2017, the Debtor "sold 5212 Reef Way to Hans Hagenmayer for \$1,044,107.90 subject lien of \$984,107.90. Debtor gave grant deed to hold and remained on title to preserve existing real property financing." Docket No. 31, Part 9, Question 23. It seems to the Court that this relates to the Reef Property. It also seems to the Court that the Debtor remains on the title to the Reef Property, although it is subject to a sale contract, but the Court will inquire about this issue at the hearing.

***The Pending Motions***

*Motion to Dismiss Chapter 13 Proceeding Pursuant to 11 U.S.C. § 1307(C) for Bad Faith with 180-Day Bar to Refiling (the "Motion to Dismiss").* Docket No. 44.

At bottom, the bad faith asserted in the Motion to Dismiss is the purported history of the Debtor's failure to pay Manning, the Debtor's failure to attend a 341(a) meeting, that Manning "is one of few creditors," the mislabeling of Manning's claim in the Debtor's schedules and plan, the failure of the Debtor's plan to provide treatment for Manning's claim as a secured claim (and the plan's unconfirmability), and the Debtor's use of a bankruptcy petition in the place of a supersedeas bond. Manning also argues that the Debtor's plan, although conflicting in places, references his intention on filing a motion under Section 522(f) of the Bankruptcy Code to avoid Manning's lien, but that the 28-day window from the petition date within which to do



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**Chapter 13**

so under this Court's Local Rule 3015-1(b)(7) has passed.

The Debtor's response(s) to the Motion to Dismiss utilize(s) most of the pleading's real estate on the argument that Manning is either not a creditor of the Debtor at all, or, at best, is an unsecured creditor of the Debtor. *See* Docket No. 56. The Debtor does not address the failure to attend the 341(a) meeting, the descriptions of the Manning claim in his Schedules, or the assertion that Manning is one of only a few creditors. There is some discussion in the Debtor's response about the use of the bankruptcy case in light of the State court's denial of his request for a stay while the Appeal is pending.

Section 1307(c) of the Bankruptcy Code provides in relevant part that "the court may convert [] or dismiss a case under this chapter, whichever is in the best interest of creditors and the estate, for cause...". "A Chapter 13 petition filed in bad faith may be dismissed 'for cause' pursuant to [Section 1307(c) of the Bankruptcy Code]." *In re Eisen*, 14 F.3d 469 (9th Cir. 1994)(citing, *inter alia*, *In re Powers*, 135 B.R. 980, 991 (Bankr. C.D.Cal. 1991). "To determine bad faith a bankruptcy judge must review the 'totality of the circumstances.'" *In re Eisen*, 14 F.3d at 469 (citing *In re Goeb*, 675 F.2d 1386, 1391 (9th Cir. 1982). "A judge should ask whether the debtor 'misrepresented facts in his [petition or] plan, unfairly manipulated the Bankruptcy Code, or otherwise [filed] his Chapter 13 [petition or] plan in an inequitable manner.'" *Id.* "Bad faith exists where the debtor only intended to defeat state court litigation." *Id.* (citing *In re Chinichian*, 784 F.2d 1440, 1445-46 (9th Cir. 1986).

Although not entirely clear, it appears to the Court that the Debtor did eventually attend a 341(a) meeting on January 19, 2022.

With respect to the petition, Schedule D lists the Manning claim as a "disputed" judgment lien. At a minimum it appears that the Debtor disputes the secured nature of Manning's claim. The description of Manning's claim as a breach of contract seems to be based on the Debtor's reading of either the Judgment or the Stipulation as a contract. The description of Manning's claim as a business debt seems to be scrivener's error, as nothing about the description provides the Debtor with a benefit. The Debtor's schedules, while untidily drafted in places, do not appear to rise to level of material misrepresentations that would benefit the Debtor at the expense of Manning, or be used to manipulate the Court or the Chapter 13 Trustee. At bottom,

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**Chapter 13**

the Debtor disputes Manning's claim as a secured claim, and the schedules appear to at least reflect that point.

In addition to identifying the disputed nature of Manning's claim, the Debtor's schedules also identify other creditors, in addition to Manning. The Debtor's *First Amended Chapter 13 Plan* (the "Plan") lists a \$4,000 priority claim of the Internal Revenue Service and nonpriority unsecured claims totaling \$235,068.54 (including Manning's claim). See Docket No. 75, Part 2, Section I.B and Section II.B. American Express, LVNV Funding, LLC, and Capital One Bank (USA), N.A. have all filed unsecured claims in the Debtor's bankruptcy case. The Plan pays 10.5% of the unsecured claims over time, although Manning disputes that the Debtor is applying all of his disposable income to the Plan.

Both Manning and the Chapter 13 Trustee have filed objections to confirmation of the Plan, citing, among other things, seemingly more disposable income than applied, an unclear ownership description of the Reef Property, slovenly drafted schedules that make a clear analysis of the Plan problematic, and the Chapter 13 Trustee requires further documentation in the form of tax returns and proof of expenses and income. The Plan appears to the Court to require substantial revision, and a number of documents must be provided to the Chapter 13 Trustee before it will be in shape for confirmation. However, at this juncture, it does not appear to the Court that the Plan has been proposed in bad faith, or that the contents of the Plan rise to the level of bad faith. There are certainly disagreements about whether Manning's claim is secured, and, as with many of the other pleadings filed by the Debtor, the Plan lacks the polish. In the end, however, it seems to the Court that the bigger issue here is that the Debtor, Manning, and the Chapter 13 Trustee will need to appreciate how the State court rules on the Appeal before a true analysis of the Plan can be completed. The Court has lifted the stay for this precise reason.

There is no question that the Debtor, in large part, filed the bankruptcy case to ward off the appointment of a receiver whilst he was appealing certain orders of the State court. The receiver appointment, however, was just one part of a larger piece of litigation amongst Manning and the Debtor. Filing the bankruptcy petition was far from the end of the overall litigation. A lengthy appeal was still to be litigated, and the Court lifted the stay to allow the Appeal to continue to be litigated. The Debtor also has no less than one quarter of a million dollars in unsecured debt, not much

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**Chapter 13**

more than his personal residence in terms of assets, and relatively little net income. It seems to the Court that the Debtor's filing bankruptcy was related to more than just the appointment of a receiver, but a bigger issue surrounding the amount of debt he is currently facing and the lack of income to pay that debt without selling his home.

Based on the facts in front of the Court, the Court is not inclined to grant the Motion to Dismiss.

Motion to Avoid Lien Under 11 U.S.C. § 522(f) (the "Lien Avoidance Motion").  
Docket No. 67.

The Debtor argues that Manning's lien on the Chinook Property should be avoided in that after his exemption there is no equity remaining for Manning's lien.

Among the arguments raised by Manning in opposition is that the Lien Avoidance Motion was not timely under this Court's Local Bankruptcy Rule 3015-1(b)(7), which states that "the debtor shall file [] any document to avoid a judgment lien pursuant to 11 U.S.C. § 522(f) within 28 days of commencement of the case." See Docket No. 92, p. 6, lines 4-14. The Debtor has not responded to this argument. The instant Chapter 13 case was filed on November 29, 2021, which places the deadline to file pleadings related to Section 522(f) of the Bankruptcy Code on December 27, 2021. The Debtor's motion was filed on February 11, 2022. The Debtor has not addressed this argument.

Manning raises in her opposition to the Lien Avoidance Motion that the Debtor failed to provide a sufficient evidentiary basis for his entitlement to the \$600,000 exemption he asserts as a part of the Motion. See Docket No. 92, p. 9, lines 11-17. As with the time bar argument, the Debtor has not responded to this argument.

The Court is not inclined to grant the Lien Avoidance Motion based on what appears to be an untimely motion, and for lack of a sufficient evidentiary basis as outlined in Manning's Opposition.

Objection to Claim (Docket No. 69)

The Debtor filed his *Objection to Claim* regarding Manning's secured proof of claim. The Objection to Claim essentially argues the Appeal. The Court has already lifted the stay to allow the State court to decide the Appeal. The Court did not lift the stay

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**CONT...      Robert James Guadagno**

**Chapter 13**

to allow the Debtor to litigate the same issue in two (2) different courts.

The Objection to Claim is denied.

*Confirmation of the Debtor's Plan*

Both the Chapter 13 Trustee and Manning have filed lengthy objections to the Debtor's Plan. The Court will inquire as to whether any of the objections have been resolved. The Court will also inquire whether there is any value in attempting to confirm the Plan at this stage given the pendency of the Appeal.

<b>Party Information</b>
--------------------------

**Debtor(s):**

Robert James Guadagno

Represented By  
James Studer

**Trustee(s):**

Elizabeth (ND) F Rojas (TR)

Pro Se

**United States Bankruptcy Court  
Central District of California  
Northern Division  
Ronald A Clifford III, Presiding  
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**Thursday, June 16, 2022**

**Hearing Room 201**

11:00 AM

**9:21-11164 Robert James Guadagno**

**Chapter 13**

**#31.10** CONT'D Hearing

RE: [44] Motion to Dismiss Case for Abuse and Notice of Motion (BNC) Notice of Motion and Motion to Dismiss Ch. 13 Proceeding Per 11 USC sec. 1307(C) for Bad Faith; Memo Points and Authorities; Declaration of Felicita A. Torres

FR. 2-17-22, 3-17-22, 4-21-22

Docket 44

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
--------------------------

**Debtor(s):**

Robert James Guadagno

Represented By  
James Studer

**Movant(s):**

Mary Manning

Represented By  
Felicita A Torres

**Trustee(s):**

Elizabeth (ND) F Rojas (TR)

Pro Se

**United States Bankruptcy Court  
Central District of California  
Northern Division  
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**Thursday, June 16, 2022**

**Hearing Room 201**

11:00 AM

**9:21-11164 Robert James Guadagno**

**Chapter 13**

**#31.20** CONT'D Hearing  
RE: [62] Notice of motion and motion for relief from automatic stay with supporting declarations ACTION IN NON-BANKRUPTCY FORUM RE: 657 Chinook Drive Memorandum of Points and Authorities; Declaration of Felicita A. Torres and Exhibits in Support.

FR. 3-1-22, 3-29-22, 4-21-22

Docket 62

**Tentative Ruling:**

**March 29, 2022**

**No appearances required.**

The Court will continue the Motion to April 21, 2022 at 10:00 a.m. to be heard with the Movant's Motion to Dismiss for abuse and Debtor's Motion to Avoid Lien

<b>Party Information</b>
--------------------------

**Debtor(s):**

Robert James Guadagno

Represented By  
James Studer

**Movant(s):**

Mary Manning

Represented By  
Felicita A Torres

**Trustee(s):**

Elizabeth (ND) F Rojas (TR)

Pro Se

**United States Bankruptcy Court  
Central District of California  
Northern Division  
Ronald A Clifford III, Presiding  
Courtroom 201 Calendar**

**Thursday, June 16, 2022**

**Hearing Room 201**

11:00 AM

**9:21-11164 Robert James Guadagno**

**Chapter 13**

**#31.30 CONT'D Hearing**

RE: [67] Motion to Avoid Lien Abstract of Judgment Modification lien of \$198,874.52 entered September 21, 2018 in closed June 29, 2008 final judgment Case 1263407 void ab initio on face for want of subject matter jurisdiction recorded 12/24/2018 in Ventura County impairing debtor's Schedule C \$600,000 homestead exemption in 657 Chinook Dr. Ventura, CA home that creditor released to debtor by Grant Deed recorded 10-18-2013 with Mary A. Manning

FR. 3-17-22, 4-21-22

Docket 67

**Tentative Ruling:**

**April 21, 2022**

The Court continued this matter to determine a threshold issue; whether the Court's Local Bankruptcy Rule 3015-1(b)(7) worked to bar the lien avoidance motion?

On February 11, 2022, Robert James Guadagno ("Guadagno") filed that *Motion to Avoid Lien Under 11 U.S.C. Section 522(f) (Real Property)* (the "Motion"). See Docket No. 67. The Motion seeks to avoid the lien of Mary Maning ("Manning") pursuant to 11 U.S.C. § 522(f) as impairing Guadagno's claimed homestead exemption. Manning opposes the Motion, raising in the first instance timeliness of the Motion pursuant to this Court's Local Bankruptcy Rule 3015-1(b)(7). See Docket No. 92, *Creditor, Mary Manning's Opposition to Debtor's Motion to Avoid Lien Pursuant to 11 U.S.C. Section 522(F)*.

This Court's Local Rule 3015-1(b)(7) provides that any document that is to be filed to avoid a judgment lien under 11 U.S.C. § 522(f) shall be filed within 28 days of commencement of the case. As a threshold issue, this Court's Local Rule 1001-1(d) provides that "[t]he Local Bankruptcy Rules apply uniformly throughout the district, but are not intended to limit the discretion of the court. The court may waive the application of any Local Bankruptcy Rule in any case or proceeding, or make

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**Chapter 13**

additional orders as it deems appropriate, in the interest of justice." The Court, in the instant case, declines to apply Local Bankruptcy Rule 3015-1(b)(7)'s 28 day bar date to the Motion for the reasons provided *infra*.

This Court recognizes the importance of the availability of lien avoidance for debtors in Chapter 13. "Avoidance of a lien indirectly promotes the chapter 13 debtor's fresh start by increasing the likelihood that payments required under the plan will be made and by protecting against a dismissal and threat of foreclosure." *In re Underwood*, 103 B.R. 849, 851–52 (Bankr. E.D. Mich. 1989). "The determination that § 522(f) is available to [chapter 13] debtors, however, does not by itself mean that the lien will be avoided. The avoidance of the judicial lien will only be sustained if the debtors are able to propose a confirmable plan." *In re Allred*, 45 B.R. 676, 680 (Bankr. E.D.N.C. 1985); *see also In re Powers*, 2016 WL 3344247, at \*5 (Bankr. E.D.N.C. June 7, 2016) (explaining that "[i]n chapter 13 cases, judicial liens may be avoided under § 522(f) only upon confirmation."); *see also In re Underwood*, 103 B.R. at 851) (discussing prior split authority as to availability of § 522(f) in chapter 13).

Section 522(f) of the Bankruptcy Code "does not contain a time limit within which an action to invalidate a 522(f) lien must be instituted." *Matter of Montney*, 17 B.R. 353, 356 (Bankr. E.D. Mich. 1982); *see also In re Keller*, 24 B.R. 720, 722 (Bankr. N.D. Ohio 1982) ("§ 522(f) places no time limitation on the assertion of lien avoidance rights."). The "procedure for debtor to avoid a judicial lien on exempt property" has been identified by Congress as the sort of "matters that will be dealt with by the rules of bankruptcy procedure or by local rules of court. . ." H.R. Rep. No. 95-595, 95th Cong., 1st Sess. 292, 297 (Appendix I) (1977).

The majority of courts appear to hold that there should be no time limit for raising lien avoidance in a Chapter 13 case absent prejudice or fraud to creditors. *See Yazzie v. Postal Finance Co.*, 24 B.R. 576, 577–578 (9th Cir.1982) (citations omitted); *see also In re Glover*, 2001 WL 1825795, at \*2 (Bankr. M.D. Fla. July 31, 2001) (granting motion to avoid lien in chapter 13 case for lien that continued in existence during duration of prior chapter 7 case); *see also In re Chagolla*, 544 B.R. 676, 681 (B.A.P. 9th Cir. 2016) (discussing prejudice and passage of time in filing lien avoidance motions).

However, not all bankruptcy courts agree that the procedures for Section 522(f) relief should be set by a court's local rules. "If limits are to be imposed, it should be done by statute or by duly promulgated bankruptcy rule." *Schneider v. Beneficial Finance Co.*,



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18 B.R. 274, 276 (Bankr. D.N.D. 1982); *see also See In re Adkins*, 7 B.R. 325, 327 (Bankr. S.D. Cal. 1980) (explaining that "in order to effectively carry out the provisions of the Code and to obtain finality of a determination of the rights of all parties, it seems to me that a debtor must file a complaint to avoid a lien under s 522(f) at or before the discharge hearing . . ."); *see also In re Newton*, 15 B.R. 640, 641 (Bankr. W.D.N.Y. 1981) (holding that the cutoff deadline speeds disposition of cases); *see also Bledsoe v. Household Fin. Corp.*, 28 B.R. 210, 214 (Bankr. S.D. Ohio 1983) (holding untimely motion not barred due to lack of "substantial detrimental reliance or prejudice resulting from [d]ebtors' 'inaction.'"); *but see In re Trevino*, 78 B.R. 29, 38 (Bankr. M.D. Pa. 1987) (distinguishing cases).

In enacting Local Bankruptcy Rule 3015-1(b)(7), the Central District of California Bankruptcy Court noted that its enactment would, among other things, "encourage uniformity and clarity in chapter 13 practice." *See United States Bankruptcy Court, Central District of California: Office of the Clerk, Public Notice RE: Local Bankruptcy Rule Amendments Effective December 1, 2017*, available at: <https://www.cacb.uscourts.gov/news/local-bankruptcy-rules-amendments-effective-december-1-2017>.

The Court in this case, on the present facts, and in its discretion, declines to bar the Motion through application of the Court's Local Rule 3015-1(b)(7). The Court appreciates that the Local Rule can in-fact encourage uniformity and clarity in the practice of Chapter 13, and perhaps the Local Rule would also usher Chapter 13 cases through the confirmation process more efficiently in some instances. Here, the Motion was filed within 74 days of the petition date. *See* Opposition, p. 6, lines 9-14. Guadagno filed his petition on November 29, 2021. *See* Docket No. 1. Guadagno filed his initial plan on December 13, 2021, which included a description of the controversy at issue in the Motion and Opposition (among other pleadings). *See* Docket 33, p. 13. Maning has filed a substantive challenge to the Motion, raising a number of issues in opposition to the Motion, which the Court will decide. The Court prefers when possible to decide issues on their merits, rather than on procedure, and the Motion provides the Court that opportunity. To that end, the Court exercises its discretion in this instance to allow the Motion to proceed despite its non-conformance with Local Bankruptcy Rule 3015-1(b)(7).

The Court will continue the Motion to rule on the merits of the Motion beyond Local Rule 3015-1(b)(7).

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**CONT...      Robert James Guadagno**

**Chapter 13**

**Debtor(s):**

Robert James Guadagno

Represented By  
James Studer

**Movant(s):**

Robert James Guadagno

Represented By  
James Studer  
James Studer

**Trustee(s):**

Elizabeth (ND) F Rojas (TR)

Pro Se

**United States Bankruptcy Court  
Central District of California  
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**Thursday, June 16, 2022**

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11:00 AM

**9:21-11164    Robert James Guadagno**

**Chapter 13**

**#31.40**    CONT'D Hearing RE: [94] Objection to Debtor's Claim of Exemptions Objection  
to Debtor's Claimed Homestead Exemption Filed by Mary Manning

FR. 4-21-22

Docket      94

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
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**Debtor(s):**

Robert James Guadagno

Represented By  
James Studer

**Trustee(s):**

Elizabeth (ND) F Rojas (TR)

Pro Se

**United States Bankruptcy Court  
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**9:21-11164    Robert James Guadagno**

**Chapter 13**

**#31.50    CONT'D Hearing**

RE: [138] Motion under FRCP Rule 60 to deem 11 USC 522(f) motion timely filed based on FRCP liberal notice pleading/motion rules, Ninth Circuit policy for resolving conflict between LBR and Bankruptcy Code right, and permission to supplement motion with formal appraisal in progress, memorandum of points and authorities, declaration of James Studer in support thereof

FR. 4-21-22

Docket      138

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
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**Debtor(s):**

Robert James Guadagno

Represented By  
James Studer

**Movant(s):**

Robert James Guadagno

Represented By  
James Studer  
James Studer

**Trustee(s):**

Elizabeth (ND) F Rojas (TR)

Pro Se

**United States Bankruptcy Court  
Central District of California  
Northern Division  
Ronald A Clifford III, Presiding  
Courtroom 201 Calendar**

**Thursday, June 16, 2022**

**Hearing Room      201**

11:00 AM

**9:21-11237    Modesta Marmolejo**

**Chapter 13**

**#32.00    CONT'D Hearing on Confirmation of Chapter 13 Plan**

FR. 3-17-22, 4-21-22

Docket      1

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
--------------------------

**Debtor(s):**

Modesta Marmolejo

Represented By  
Julie J Villalobos

**Trustee(s):**

Elizabeth (ND) F Rojas (TR)

Pro Se

**United States Bankruptcy Court  
Central District of California  
Northern Division  
Ronald A Clifford III, Presiding  
Courtroom 201 Calendar**

**Thursday, June 16, 2022**

**Hearing Room      201**

11:00 AM

**9:16-11961    William Michael Baxter**

**Chapter 13**

**#33.00**    CONT'D Hearing  
RE: [87] Trustee's Motion to Dismiss Case . (Rojas (TR), Elizabeth (ND))

FR. 3-17-22, 4-21-22

Docket      87

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
--------------------------

**Debtor(s):**

William Michael Baxter

Represented By  
John K Rounds

**Trustee(s):**

Elizabeth (ND) F Rojas (TR)

Pro Se

**United States Bankruptcy Court  
Central District of California  
Northern Division  
Ronald A Clifford III, Presiding  
Courtroom 201 Calendar**

**Thursday, June 16, 2022**

**Hearing Room 201**

11:00 AM

**9:17-10095 Robert Kirk Armstrong and Suzanne Armstrong**

**Chapter 13**

**#34.00** Hearing  
RE: [68] Trustee's Motion to Dismiss Case for Failure to Submit Tax Refunds to  
The Trustee F Rojas (TR) (Rojas (TR), Elizabeth (SV))

FR. 4-21-22

Docket 68

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
--------------------------

**Debtor(s):**

Robert Kirk Armstrong

Represented By  
James Studer

**Joint Debtor(s):**

Suzanne Armstrong

Represented By  
James Studer

**Movant(s):**

Elizabeth (ND) F Rojas (TR)

Pro Se

**Trustee(s):**

Elizabeth (ND) F Rojas (TR)

Pro Se

**United States Bankruptcy Court  
Central District of California  
Northern Division  
Ronald A Clifford III, Presiding  
Courtroom 201 Calendar**

**Thursday, June 16, 2022**

**Hearing Room      201**

11:00 AM

**9:18-10684    Audra Laverne Henson**

**Chapter 13**

**#35.00    Hearing**  
RE: [81] Motion to Dismiss Case for Failure to Make Plan Payments    F Rojas  
(TR) (Rojas (TR), Elizabeth (ND))

FR. 3-17-22, 4-21-22

Docket      81

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
--------------------------

**Debtor(s):**

Audra Laverne Henson

Represented By  
James C Ames

**Movant(s):**

Elizabeth (ND) F Rojas (TR)

Pro Se

**Trustee(s):**

Elizabeth (ND) F Rojas (TR)

Pro Se



**United States Bankruptcy Court  
Central District of California  
Northern Division  
Ronald A Clifford III, Presiding  
Courtroom 201 Calendar**

**Thursday, June 16, 2022**

**Hearing Room      201**

11:00 AM

**9:18-10949    Maria Avila**

**Chapter 13**

**#36.00    Hearing**  
RE: [85] Motion to Dismiss Case for Failure to Make Plan Payments    F Rojas  
(TR) (Rojas (TR), Elizabeth (ND))

Docket      85

**\*\*\* VACATED \*\*\*    REASON: Motion was withdrawan by trustee on  
6/8/22.**

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
--------------------------

**Debtor(s):**

Maria Avila

Represented By  
Karen L Grant

**Trustee(s):**

Elizabeth (ND) F Rojas (TR)

Pro Se

**United States Bankruptcy Court  
Central District of California  
Northern Division  
Ronald A Clifford III, Presiding  
Courtroom 201 Calendar**

**Thursday, June 16, 2022**

**Hearing Room 201**

11:00 AM

**9:18-11089 Travis Alan Rainey and Sasha Annalisa Rainey**

**Chapter 13**

**#37.00** HearingRE: [136] Motion to Dismiss Case for Failure to Make Plan Payments F Rojas (TR) (Rojas (TR), Elizabeth (ND))

Docket 136

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
--------------------------

**Debtor(s):**

Travis Alan Rainey

Represented By  
Steven A Alpert

**Joint Debtor(s):**

Sasha Annalisa Rainey

Represented By  
Steven A Alpert

**Trustee(s):**

Elizabeth (ND) F Rojas (TR)

Pro Se

**United States Bankruptcy Court  
Central District of California  
Northern Division  
Ronald A Clifford III, Presiding  
Courtroom 201 Calendar**

**Thursday, June 16, 2022**

**Hearing Room 201**

11:00 AM

**9:19-11962 Alfonso Serrato Cortez**

**Chapter 13**

**#38.00** Hearing  
RE: [72] Motion to Dismiss Case for Failure to Make Plan Payments F Rojas  
(TR) (Rojas (TR), Elizabeth (ND))

FR. 4-21-22

Docket 72

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
--------------------------

**Debtor(s):**

Alfonso Serrato Cortez

Represented By  
William E. Winfield

**Movant(s):**

Elizabeth (ND) F Rojas (TR)

Pro Se

**Trustee(s):**

Elizabeth (ND) F Rojas (TR)

Pro Se

**United States Bankruptcy Court  
Central District of California  
Northern Division  
Ronald A Clifford III, Presiding  
Courtroom 201 Calendar**

**Thursday, June 16, 2022**

**Hearing Room 201**

11:00 AM

**9:20-10167 Darryl Lee Gregory and Annette Marie Lozano Gregory**

**Chapter 13**

**#39.00** HearingRE: [71] Motion to Dismiss Case for Failure to Make Plan Payments F Rojas  
(TR) (Rojas (TR), Elizabeth (ND))

Docket 71

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
--------------------------

**Debtor(s):**

Darryl Lee Gregory

Represented By  
Chris Gautschi

**Joint Debtor(s):**

Annette Marie Lozano Gregory

Represented By  
Chris Gautschi

**Trustee(s):**

Elizabeth (ND) F Rojas (TR)

Pro Se

**United States Bankruptcy Court  
Central District of California  
Northern Division  
Ronald A Clifford III, Presiding  
Courtroom 201 Calendar**

**Thursday, June 16, 2022**

**Hearing Room      201**

11:00 AM

**9:20-10628    Susan Lynn Delgado**

**Chapter 13**

**#40.00    HearingRE: [64] Motion to Dismiss Case for Failure to Make Plan Payments   F Rojas  
(TR) (Rojas (TR), Elizabeth (ND))**

Docket      64

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
--------------------------

**Debtor(s):**

Susan Lynn Delgado

Represented By  
Chris Gautschi

**Trustee(s):**

Elizabeth (ND) F Rojas (TR)

Pro Se

**United States Bankruptcy Court  
Central District of California  
Northern Division  
Ronald A Clifford III, Presiding  
Courtroom 201 Calendar**

**Thursday, June 16, 2022**

**Hearing Room 201**

11:00 AM

**9:20-10755 Christopher John Sanchez**

**Chapter 13**

**#41.00** Hearing  
RE: [88] Motion to Dismiss Case for Failure to Make Plan Payments F Rojas  
(TR) (Rojas (TR), Elizabeth (ND))

FR. 2-17-22, 4-21-22

Docket 88

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
--------------------------

**Debtor(s):**

Christopher John Sanchez

Represented By  
Matthew D. Resnik  
Roksana D. Moradi-Brovia

**Movant(s):**

Elizabeth (ND) F Rojas (TR)

Pro Se

**Trustee(s):**

Elizabeth (ND) F Rojas (TR)

Pro Se

**United States Bankruptcy Court  
Central District of California  
Northern Division  
Ronald A Clifford III, Presiding  
Courtroom 201 Calendar**

**Thursday, June 16, 2022**

**Hearing Room      201**

11:00 AM

**9:20-11398    Adriana Salazar**

**Chapter 13**

**#42.00    Hearing**  
RE: [50] Motion to Dismiss Case for Failure to Make Plan Payments    F Rojas  
(TR) (Rojas (TR), Elizabeth (ND))

FR. 4-21-22

Docket      50

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
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**Debtor(s):**

Adriana Salazar

Represented By  
Nancy Korompis

**Movant(s):**

Elizabeth (ND) F Rojas (TR)

Pro Se

**Trustee(s):**

Elizabeth (ND) F Rojas (TR)

Pro Se